

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RAPHAEL DWIGHT HUNDLEY,	:	CIVIL ACTION NO. 1:12-CR-790
Petitioner	:	
	:	(Judge Conner)
v.	:	
	:	
WARDEN MONICA RECTENWALD,	:	
Respondent	:	

ORDER

AND NOW, this 11th day of July, 2013, upon consideration of the Report and Recommendation of United States Magistrate Judge Thomas M. Blewitt (Doc. 25), recommending that petitioner's habeas petition (Doc. 1) be denied, and that petitioner's emergency motion pending review (Doc. 23) be dismissed and, following an independent review of the record, and noting that petitioner filed objections¹ to the report (Doc. 32) on July 1, 2013, and the court finding Magistrate Judge Blewitt's analysis to be thorough and well-reasoned, and the court finding the objections to be without merit and squarely addressed by Magistrate Judge Blewitt's report (Doc. 25), it is hereby ORDERED that:

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

1. The Report and Recommendation of Magistrate Judge Blewitt (Doc. 25) are ADOPTED.
2. Petitioner's Habeas Petition (Doc. 1) is DENIED.
3. Petitioner's Emergency Motion Pending Review (Doc. 23) is DISMISSED without prejudice.
4. The Clerk of Court is directed to CLOSE this case.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge